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**TITLE 410 INDIANA STATE DEPARTMENT OF
HEALTH**

Proposed Rule
LSA Document #01-280

DIGEST

Adds 410 IAC 21-3 to define birth problems and establish reporting requirements for the birth problems registry. Effective 30 days after filing with the secretary of state.

410 IAC 21-3

SECTION 1. 410 IAC 21-3 IS ADDED TO READ AS FOLLOWS:

Rule 3. Birth Problems Registry

410 IAC 21-3-1 Applicability

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 1. The definitions in this rule apply throughout this rule. (*Indiana State Department of Health; 410 IAC 21-3-1*)

410 IAC 21-3-2 "Indiana resident" defined

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 2. "Indiana resident" means an individual whose current address is within Indiana. (*Indiana State Department of Health; 410 IAC 21-3-2*)

410 IAC 21-3-3 "Person" defined

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 3. "Person" means an individual, association, partnership, corporation, or government entity. (*Indiana State Department of Health; 410 IAC 21-3-3*)

410 IAC 21-3-4 "Registry" defined

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 4. "Registry" means the Indiana birth problems registry administered by the Indiana state department of health. (*Indiana State Department of Health; 410 IAC 21-3-4*)

410 IAC 21-3-5 "Severe disability" defined

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 5. "Severe disability" means a severe physical disability or developmental delay that:
(1) results from injury, infection, or disease;

- (2) is chronic in nature; and**
- (3) requires long term health care.**

(Indiana State Department of Health; 410 IAC 21-3-5)

410 IAC 21-3-6 “Stillbirth” defined

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 6. “Stillbirth” means a birth after twenty (20) weeks of gestation that is not a live birth. *(Indiana State Department of Health; 410 IAC 21-3-6)*

410 IAC 21-3-7 Persons required to report

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 7. The following persons shall report a diagnosed birth problem to the birth problems registry:

- (1) Hospitals.**
- (2) Birthing centers.**
- (3) Health facilities.**
- (4) Physicians.**
- (5) Psychiatric hospitals.**
- (6) Dentists.**
- (7) Oral surgeons.**
- (8) Registered or licensed practical nurses.**
- (9) Midwives.**
- (10) Optometrists.**
- (11) Podiatrists.**
- (12) Chiropractors.**
- (13) Physical therapists.**
- (14) Psychologists.**
- (15) Local health departments.**
- (16) Health maintenance organization.**

(Indiana State Department of Health; 410 IAC 21-3-7)

410 IAC 21-3-8 Reporting requirements

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 8. (a) The following shall be reported by a person who must report as required by section 7 of this rule to the registry:

- (1) Every birth problem listed in section 9 of this rule that has been diagnosed in a child before that child’s second birthday.**
- (2) Every birth problem listed in section 9 of this rule that was diagnosed at the time of a child’s death up to two (2) years of age or at expulsion or extraction of a fetus at twenty (20) weeks or greater gestation.**

(b) Reports to the registry must be made within sixty (60) days of diagnosis.

(c) Only diagnoses of birth problems in children who are Indiana residents shall be reported.

(d) The registry shall provide the required forms for birth problems reporting. *(Indiana State Department of Health; 410 IAC 21-3-8)*

410 IAC 21-3-9 Reportable birth problems

Authority: IC 16-38-4-7

Affected: IC 16-38-4

Sec. 9. The following categories, along with those conditions identified in the International Classification of Diseases–Ninth Revision, Clinical Modification, 1998 (ICD-9-CM), are birth problems:

- (1) A structural deformation.
- (2) A developmental malformation.
- (3) A genetic, inherited, or biochemical disease.
- (4) Birth weight less than two thousand five hundred (2,500) grams.
- (5) A condition of a chronic nature, including central nervous system hemorrhage or infection of the central nervous system, that may result in a need for long term health care.
- (6) Stillbirth.
- (7) Any other severe disability that is recognized in a child after birth and before the child becomes two (2) years of age.

(8) ICD-9-CM Codes	Name
090-090.2	Syphilis
155-214.9	Neoplasms
216-216.9	Neoplasms
228.1-239.9	Neoplasms
243	Congenital hypothyroidism
246.1	Dyshormonogenic goiter
250-250.9	Diabetes mellitus
255.2	Adrenogenital disorders
257.8	Other testicular dysfunction
270-271.3	Disorders of amino acids and carbohydrate transport and metabolism
272.7	Lipidoses
273	Disorders of plasma protein metabolism
277-277.9	Other unspecified disorders of metabolism
279.11	DiGeorge's syndrome
282	Hereditary hemolytic anemias
284	Constitutional aplastic anemia
286	Coagulation defects
299	Infantile autism
330.1	Cerebral lipidoses
335	Werdnig-Hoffmann disease
362.21	Retrolental fibroplasia
362.7	Hereditary retinal dystrophies
365.14	Glaucoma of childhood
366-366.09	Infantile, juvenile, and presenile cataract
378.9	Unspecified disorders of eye movement
379.51	Congenital nystagmus
389-389.9	Hearing loss
425	Cardiomyopathy
425.3	Endocardial fibroelastosis
426.7	Anomalous atrioventricular excitation
427.9	Cardiac dysrhythmia, unspecified
430	Subarachnoid hemorrhage

524-524.1	Anomalies of jaw
551.1-551.3	Hernia with gangrene
553.2	Ventral hernia
630-635.9	Complications of pregnancy and abortive outcome
637-637.9	Unspecified abortion
655-655.9	Fetal abnormality affecting management of mother
656.4	Intrauterine death
658.8	Amnion nodosm amniotic cyst
685	Pilonidal cyst
709	Other disorders of skin and subcutaneous tissue
Congenital anomalies	
740-742.9	CNS
743-744.9	Orofacial
745-747.9	Cardiovascular
748-748.9	Respiratory
749-750.29	Orofacial
750.3-751.9	Gastrointestinal
752-753.9	Genitourinary
754-756.9	Musculoskeletal
757-757.9	Integument
758-758.9	Chromosome and syndromes
759-759.9	Other and unspecified congenital anomalies
760.70-760.79	Alcohol and other drugs
768-768.1	Fetal death from asphyxia or anoxia
764-765.1	Low birth weight
771-771.2	Congenital infections
774.4	Perinatal jaundice due to hepatocellular damage
775.1	Neonatal diabetes mellitus
778.6	Congenital hydrocele
779.9	Unspecified conditions originating in the perinatal period

(Indiana State Department of Health; 410 IAC 21-3-9)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on March 25, 2002 at 2:00 p.m., at the Indiana State Department of Health, Information Services and Policy Commission, 2 North Meridian Street, Rice Auditorium, Indianapolis, Indiana the Indiana State Department of Health will hold a public hearing on a proposed new rule to define birth problems and establish reporting requirements for the birth problems registry. Copies of these rules are now on file at the Indiana State Department of Health, Information Services and Policy Commission, 2 North Meridian Street, Third Floor and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Gregory A. Wilson, M.D.
State Health Commissioner
Indiana State Department of Health